

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**DEFAULT JUDGMENT IN A CIVIL CASE**

**ENGINEERS, JOINT WELFARE, PENSION, SUPPLEMENTAL UNEMPLOYMENT  
BENEFIT AND TRAINING FUNDS, by Daniel Harrigan, as Administrator,  
CENTRAL PENSION FUND OF THE INTERNATIONAL UNION OF OPERATING  
ENGINEERS AND PARTICIPATING EMPLOYERS, by Michael R. Fanning,  
as Chief Executive Officer, INTERNATIONAL UNION OF OPERATING ENGINEERS  
LOCAL UNION 17, by Mark N. Kirsch, as Business Manager**

vs.

**CASE NUMBER: 5:08-CV-294 (NAM/DEP)**

**STS CONSTRUCTION OF WNY, INC., and TIMOTHY P. SUCH, Individually and as an  
Officer of STS Construction of WNY, Inc.**

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED**

That plaintiffs' motion for Default Judgment is granted; it is further ordered that plaintiffs are awarded default judgment against defendants STS Construction of WNY, Inc., and Timothy P. Such for the sum of \$83,990.77, representing \$60,701.24 in contributions and deductions, \$7,752.11 in interest through July 1, 2008, \$10,536.52 in liquidated damages, for a total of \$78,989.87, plus \$5,000.90 in attorneys' fees and costs through June 19, 2008.

All of the above pursuant to the order of the Honorable Judge Norman A. Mordue, dated the 26<sup>th</sup> day of November, 2008.

DATED: November 26, 2008

  
Clerk of Court

s/

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Joanne Bleskoski  
Deputy Clerk